

DEC. 4. 2003 9:34AM

858 792-6773 FOLEY AND LARDNER

NO. 4471
RECEIVED
CENTRAL FAX CENTER
DEC 04 2003
OFFICIAL

FOLEY & LARDNER

ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CALIFORNIA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEYLARDNER.COM

FACSIMILE TRANSMISSION

Total # of Pages 17 (including this page)

TO:	PHONE #:	FAX #:
Art Group 1651 U.S. Patent and Trademark Office		(703) 872-9306

From : Richard San Pietro

Email Address : rsanpietro@foleylaw.com

Sender's Direct Dial : 858.847.6717

Date : 12/4/03

App. Serial Number : 09/916,032

Client/Matter No : 074066-0105

User ID No : 0079

OFFICIAL

Transmitted herewith for filing is the following:

- 1) Communication (1 page);
- 2) Facsimile Transmittal Confirmation Sheet (1 page);
- 3) Facsimile Cover Sheet (1 page);
- 4) Transmittal (1 page); and
- 5) Petition (12 pages).

Thank you.

If there are any problems with this transmission or if you have not received all of the pages, please call (858) 847-6756.

Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Atty. Dkt. No. 074066-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: 21st Century Medicine
Title: Hypertonic Reduction of Chilling Injury
Appl. No.: 09/916,032
Filing Date: 07/26/2001
Examiner: Deborah K. Ware
Art Unit: 1651

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. (Fax No. 703-872-9306) <u>Line Gauthier</u> (Printed Name) <u><i>Line Gauthier</i></u> (Signature) <u>December 4, 2003</u> (Date of Deposit)

COMMUNICATION

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The telephone call of Examiner Ware on December 2, 2003 is greatly appreciated by the Applicants. In response to her inquiry, we re-send a copy of the "Petition To Withdraw Holding Of Abandonment" which we filed with the U.S. Patent Office on July 21, 2003, via facsimile to the Office of Petitions. A copy of the Facsimile Transmittal Confirmation Sheet evidencing the successful transmission of the Petition is attached, as is additional evidence supporting the Petition.

Please do not hesitate to contact the undersigned if additional information is required.

Date: Dec. 4, 2003

Respectfully submitted,

Stephen E. Reiter
FOLEY & LARDNER
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE
Telephone: (858) 847-6700
Facsimile: (858) 792-6773

By *Richard San Pietro*

Richard San Pietro
Attorney for Applicant
Registration No. 45,071

* * * COMMUNICATION RESULT REPORT (JUL. 21. 2003 1:58PM) * * *

TTI 858 792-6773 FOLEY AND LARDNER

TRANSMITTED/STORED JUL. 21. 2003 1:42PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

3891 MEMORY TX

G3-AT:0079#074066#0105#17033086916# OK

14/14

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWERE-2) BUSY
E-2) NO FACSIMILE CONNECTION**FOLEY & LARDNER**
ATTORNEYS AT LAW11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CALIFORNIA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEYLARDNER.COM**FACSIMILE TRANSMISSION**Total # of Pages 14 (Including this page)

TO:	PHONE #:	FAX #:
Office of Petitions U.S. Patent and Trademark Office		(703) 308-6916

From : Richard San Pietro
 Email Address : rsanpietro@foleylaw.com
 Sender's Direct Dial : 858.847.6717
 Date : July 21, 2003
 App. Serial Number : 09/916,032
 Client/Matter No : 074066-0105
 User ID No : 0079

OFFICIAL

Transmitted herewith for filing are the following:

- 1) Transmittal Letter (1 pg.);
- 2) Petition to Withdraw Holding of Abandonment (2 pgs.);
- 3) Appendix A (3 pages);
- 4) Appendix B (2 pages); and
- 5) Appendix C (2 pgs.).

If there are any problems with this transmission or if you have not received all of the pages, please call (858) 847-8756.

Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

FOLEY LARDNER
ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CALIFORNIA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEYLARDNER.COM

FACSIMILE TRANSMISSIONTotal # of Pages 14 (including this page)

TO:	PHONE #:	FAX #:
Office of Petitions U.S. Patent and Trademark Office		(703) 308-6916

From : Richard San Pietro
Email Address : rsanpietro@foleylaw.com
Sender's Direct Dial : 858.847.6717
Date : July 21, 2003
App. Serial Number : 09/916,032
Client/Matter No : 074066-0105
User ID No : 0079

OFFICIAL

Transmitted herewith for filing are the following:

- 1) Transmittal Letter (1 pg.);
- 2) Petition to Withdraw Holding of Abandonment (2 pgs.);
- 3) Appendix A (3 pages);
- 4) Appendix B (2 pages); and
- 5) Appendix C (2 pgs.).

If there are any problems with this transmission or if you have not received all of the pages, please call (858) 847-6756.

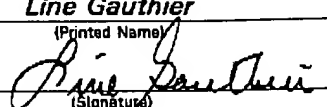
Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Atty. Dkt. No. 074066-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: 21st Century Medicine
Title: Hypertonic Reduction of Chilling Injury
Appl. No.: 09/916,032
Filing Date: 07/26/2001
Examiner: Deborah K. Ware
Art Unit: 1651

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-308-6916, Alexandria, Virginia on the date below. <u>Line Gauthier</u> (Printed Name)  (Signature) <u>July 21, 2003</u> (Date of Deposit)

TRANSMITTAL

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing in the above application are the following:

- 1) Petition To Withdraw Holding Of Abandonment (2 pages);
- 2) Appendix A (3 pages);
- 3) Appendix B (2 pages); and
- 4) Appendix C (Patent Record Sheet (2 pages).

No fee is believed due with this petition per 37 CFR 181 (d), but the Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Date July 21, 2003

Respectfully submitted,

FOLEY & LARDNER
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6700
Facsimile: (858) 792-6773

By 

Richard San Pietro
for Stephen E. Reiter
Attorney for Applicant
Registration No. 45,071